G. R. S. 59]

Reserve

GENERAL AND REVENUE SECRETARIAT.

1913.

(S & A)

File No. 342-13

Serial Nos. 1-3

Papers Filed.

Month May 1914.

SUBJECT.

Declining to commute a portion of the pension of of C. S. Singaravelu Pillai late clerk chief Court, into gratuity.

PREVIOUS REFERENCES.

BZ. para 5. 6. 14

LATER REFERENCES.

S & A 68-1913. J. Nos 1441 102 for July 1911 & Regt 1914 - at 1441 & 7 - Nov 1914

S & A 100-19, Sls 1 & 2, B Feb 1920

G.R.S. 111 1913-14.

GENERAL AND REVENUE SECRETARIAT.

(81a.)

NOTES.

File No. 342.

FILE HEADING.

Commutation into lump sum of the pension drawn by to S. Singaravelu pillai late clerk of the chief court

From

The Private Secy to H. H. the Maharajah of Mysore.

No. 2764 Dated 7—2—1914 Received 8—2—14

Diary No. 3060.	Enclos.	Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Forwards for his perusal the memorial of T. S. Singaravelu pillai praying for capitalisation of a portion of his pension

NOTES AND ORDERS.

2 Row - T. S. Singaravelu pillai d: 4-2-1914. prays for capitalisation of a portion of his pension.

Dewan's order

"The Secretary for favour of early action"

(Sd) M. V.

NOTES—First Sheet.

GPE--85,000—15-6-12

G. R. S. 12]

General and Revenue Secretariat.

Sta File No. 342 of 1913-14

Serial No.

A

1) The 1st Member of Council and the Fd. Secretary are of opinion that this System of commutation need not be introduced into the State. (Vide pages 5 and 6 of the notes in Sta. 63 of 13-14. herewith put up.). ~~Accordingly~~ Accordingly the prayer of H. N. Kallappa for commutation was rejected. Draft endorsement rejecting the prayer of the petitioner is sub'd.

b

DM. 3.3.14. 38 SH

2) Following the precedent in Kallappa's Case the petn will be rejected. It may be pardoned for bringing the subject to notice as one which deserves some consideration. A system of Commutation of the pension payable under the rules for a pensioner appointed for his meritorious benefit the inducement and as the payment of a lump sum in lieu of such periodical payments as he would be entitled to draw as the payment of a Capitalised amount bears a large proportion to the total duration - Draft Endt. in this petn. has been put up - 7-3-14

(B Member)

3) I am of the same opinion still. But I have no

NOTE—Contn. sheet.

GPB—60,000—7-11-13

(6)

General and Revenue Secretariat.

S&A File No. 342 of 1913-14

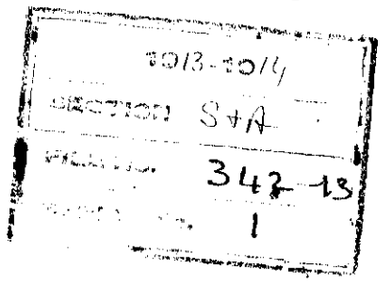
Serial No.	
	Serious objn to the matter being reconsidered if the Diwan wishes-
	7/8/14
8202 10-3-14	Dewan 4
	I agree with the 1st Member
	21-5-14
	Some Officer's
P.S.R.	
3	To C.S. Singaravelu pillai. No. H 5656 of 21-5-14 Informs that Govt deem it inexpedient to grant his prayer.

NOTE—Contn. sheet.

G P B—60,000—7-11-13

No. 2764
Enc 1

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,
Bangalore, 7. 2. 1914
No. 3060



Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department (Br: III), Bangalore, for disposal.

No. 74 S & B 13-14

By Order,

I.C.S.,
Private Secretary
to H. H. the Maharaja of Mysore.

GBPM—1,000—18-11-12.

745 2

BANGALORE,
Dated 4th Feby ~~January~~, 1914.

To

R. H. Campbell Esq., C.I.E.,
Private Secretary to His Highness
the Maharaja of Mysore.

SIR,

I beg to submit herewith a Memorial to the address of His Highness the Maharaja of Mysore and to solicit that it may be laid before the Maharaja for orders at His Highness' leisure, with your kind and valuable support.

I beg to remain,
Sir,
Your most obedient servant,

P. S. Sriyavanesha Pillai
Retired Clerk of the Chief
Court of Mysore.
Residing in No. 8, Munuga
Pillai St. Civil & Military
Station, Bangalore.

To

His Highness the Maharaja,

Sri Krishnaraja Wadyar Bahadur,

G.C.S.I.,

MAHARAJA OF MYSORE.

MAY IT PLEASE YOUR HIGHNESS,

The humble memorial of C. S. SINGARAVALU PILLAY, retired Clerk of the Chief Court of Mysore, residing in the Civil and Military Station of Bangalore.

Most respectfully sheweth :—

1. That your Highness' memorialist was first employed as Clerk in the Munsiff's Court of Bangalore and through the kindness of the then District and Sessions Judge, the late Raja Dharma Praveena T. R. A. Thumboo Chetty, Esq., C.I.E., he was transferred to the District Court, from where he was subsequently drafted to the Chief Court, on a salary of Rs. 25. In the Chief Court he served for nearly 30 years in various capacities until he rose to the grade of a Clerk on Rs. 100, and was retired from service in July last, although he was only 57 years of age and is both physically and mentally fit to serve for a considerable time longer in the responsible and onerous duties of accounts and statistics he was placed in. Your Highness' memorialist not having insured his life, is not entitled to any bonus from the State, and must only be content with the small pension which he is receiving, under the Mysore Service Regulations.

2. That during all this long period of his employment, your memorialist was not able to save anything, much less save himself from pecuniary liabilities, inasmuch as, his slow rising income was inadequate to meet the requirements of his growing family ; but on the other hand, he was, (as in the case of any joint Hindu family,) of slender means, compelled to incur marriage and other unavoidable expenses, which obliged him to borrow money. Your memorialist was able, however, to liquidate his debts to a large extent by the sale of his ancestral property, at an enormous sacrifice, to satisfy his pressing creditors, leaving still a balance of Rs.500 to be paid with interest. The payment of interest on the debts, and the house rent for the habitation of his large family, have now become an additional burden on his already much diminished income of a bare pension of Rs 42-13-2.

3. That in cases like your memorialist's, a portion of pension is commuted in British India under the Rules—a Copy of which is enclosed for ready reference—and although the Government of India in dealing with the subject have magnanimously extended the concession universally, yet, in the peculiar condition of a joint Hindu family, the concession is very much closer in proximity and more is it so with the subjects and servants who are governed by a sympathetic Hindu Raj of Your Highness' exalted stamp.

4. That Your Highness' humble memorialist is not an exception to the Hindu mode of living which necessitates the maintenance of their kith and kin, so that at the time of their retirement, they find themselves quite destitute and are left either without a house to live in, or troubled with debts, which they find themselves unable to liquidate, or are left without any means to see their sons and daughters educated, married or brought up to some decent calling, suitable to their status and position in life.

5 That your memorialist craves that in the special circumstances of his case, Your Highness will be graciously pleased to extend to him the indulgence granted in British India, more especially because he has not effected an Insurance in the State Life Insurance or with any other Insurance Company.

6. That your memorialist will bind himself to satisfy that the lump sum payment made on commutation is properly utilised. As two sons of your memorialist are now earning Rs. 20 both together, and as the interest and house rent at present paid will cease when the debt is discharged, and a house purchased by the lump sum payment, the residue of pension which will be left to him after commutation will be a great deal more than what his income actually is under present circumstances, and will enable your memorialist to maintain his family better than heretofore.

7. For this act of generous treatment, your Highness' memorialist will ever pray, and craves leave to remain as Your Highness' most obedient and humble servant, and subject. C. S. Singaravelu Pillay

(Sd.) C. S. SINGARAVELU PILLAY,
Retired Clerk of the Chief Court of Mysore,
Residing in No. 8, Muruga Pillai Street,
Civil and Military Station,
Bangalore.

Bangalore
4th Feby: 1914

No. 585-E.B.

GOVERNMENT of INDIA.

Finance Department.

PENSIONS and GRATUITIES.
Commutation of Pension

From

F. W. JOHNSTON Esquire,
Deputy Secretary to the Government of India.

To

The Chief Secretary to the Government of Madras,
Financial Department.

The Chief Secretary to the Government of Bombay,
Revenue and Financial Departments.

The Secretary to the Government of Bengal,
Financial and Municipal Departments.

The Financial Secretary to the Government of the United Provinces.

The Financial Secretary to the Government of the Punjab

The Chief Secretary to the Government of Burma,
Revenue Department.

The Secretary to the Government of Bihar and Orissa,
Financial and Municipal Departments.

The Hon'ble the Chief Commissioner, Central Provinces

The Hon'ble the Chief Commissioner, Assam.

The Hon'ble the Chief Commissioner, Coorg.

The Hon'ble the Chief Commissioner, Ajmer-Merwara.

The Hon'ble the Agent to the Governor-General and Chief Commissioner, North West Frontier Province.
do do do ...Baluchistan.

SIMLA, the 27th September 1912.

S i r,

I am directed to address you on the subject of the commutation of pensions for lump cash payments. Although the power to order commutation with the consent of the holder is vested in local Governments, the effect of Appendix 10 of the Civil Service Regulations and of the fact that no definition has been made of the circumstances mentioned in that Appendix as warranting commutation, has been that in practice all applications for commutation of pension have been submitted to the Government of India for sanction. This practice is in the opinion of the Governor-General in Council not in consonance with the policy which now regulates the financial relations of the Government of India with Provincial Administrations, and it has therefore been deemed advisable to define the rules which will in future be applied to the commutation of pensions and to leave the decision of each case, within the limits prescribed, to the Local Government.

2. From the rules appended thereto, which the Governor-General in Council has been pleased to frame on the subject, it will be seen that the main conditions to be observed are that there should be a rigorous medical examination and that the proportion of the pension which may be commuted should be framed so as to leave sufficient to maintain the pensioner in accordance with his station in life after retirement. It seems necessary in this case to fix some arbitrary limit and the Government of India have after consideration decided that the proportion up to which commutation should be allowed should not exceed one quarter of the pension. This proportion should provide for practically all the necessities to meet which application to commute pen-

sions

pensions is now made and though commutation of a larger proportion of the pension can still be effected with the sanction of the Government of India, such applications should rarely be forwarded and only in cases where the necessity is of an altogether exceptional nature.

5. It will be seen that no monetary limit has been fixed in the case of small pensions below which the pension should not be reduced by commutation, but it is expected that Local Governments will insist on the strict application of the first portion of rule 5 so as to ensure that a balance of pension is left, sufficient to support the pensioner. No attempt has been made in rule 3 to define "the distinct and permanent advantages of the pensioner", and complete discretion is left to Local Governments as regards sanctioning a commutation for a prudent object and refusing sanction where the object seems the reverse of prudent. It will further be noticed that once the lump sum has actually been taken by the pensioner, he must abide by the results of his application and cannot be allowed to refund the money and draw his original pension. To permit of this would not only discourage the exercise of prudence and forethought by pensioners before applying for commutations, but would throw a very large amount of work on Accounts Officers, besides affording an opportunity for fraud.

I have the honour to be,

Sir,

Your most obedient servant,

/Sd/ F. W. Johnston,

Dy. Secy: to the Govt: of India

-----ooOoo-----

Copy

Copy forwarded to the Departments of the Government of India (including Military Finance Branch), to the Comptroller and Auditor-General and other Heads of Departments under the Finance Department, to all Accountants-General and Comptrollers, to all Examiners and Government Examiners of Railway Accounts and to the Examiner of Accounts, Military Works Services.

By order, etc.,

/Sd:/ B. N. Mitra,
Assistant Secretary to
the Govt: of India.

RULES RELATING TO THE COMMUTATION OF PENSIONS.

----oOo----

1. Subject to the conditions stated below, a Local Government may, at its discretion and on the application of the holder, order the commutation for a lump sum of a portion of a pension which has been sanctioned by it or by authority subordinate to it.

2. Applications for commutation shall be made in Form A appended to these rules.

3. The Local Government shall satisfy itself that the commutation will be to the distinct and permanent advantage of the pensioner or his family and may, at its discretion, require guarantees and impose such terms and safeguards as it may deem fit to ensure the prudent application of the amount payable in commutation, if sanctioned.

4. (a) If on consideration of the facts stated in the application the Local Government decides to allow commutation, the applicant should be required to produce a certificate as to his expectation of life, from a medical officer who should be of not lower standing than a Civil Surgeon, District Medical Officer or Presidency Surgeon. The Local Government may further, at its discretion, require a second medical opinion or direct the applicant to appear before a Medical Board.

(b) The certifying Surgeon or Board shall subject the applicant to a strict medical examination, requiring him to give such information as to his health and habits as is usual in the case of persons proposing to assure their lives in assurance companies, and will report in

the

the following form : -

> " I / We have carefully examined.....and am / are of opinion that he / she is / is not in good bodily health and has / has not the prospect of an average duration of life. I / We therefore, do / do not recommend - compliance with his application to be allowed to capitalise a portion of his pension."

In the case of impaired lives in which compliance with the officer's application is recommended, but with an addition of years of age, the following should be added:- "But as he is suffering from.....his age, for purposes of commutation, should be taken to be..... years."

(c) In the case of an applicant who has been awarded an invalid pension, the grounds of invaliding or the statement of the pensioner's medical case, should be communicated to the certifying medical authority.

(d) The pension of a pensioner whose age is more than seventy years, with or without an addition of years as an impaired life cannot be commuted except by special order of the Government of India.

5. The Local Government should assure itself that the residue of pension which will be left after commutation is sufficient to maintain the pensioner in accordance with his station in life in retirement, due regard being had to the manner of application of the - amount realised on commutation. In no case shall commutation be sanctioned which will leave the pensioner in receipt of less than three-fourths of the pension originally issued to him.

6. The lump sum payable on commutation will be the amount certified by the Audit Officer to be admissible according to the table of present values in Appendix 10 to the Civil Service Regulations.

7. Commutation, when sanctioned, shall take effect from a date, to be named in the order, which should ordinarily be about one month later than the date of the order; and all calculations shall be made with reference to that date. The sum payable in commutation will be paid on or as soon as possible after the date specified and payment of the commuted portion of the pension will cease from that date.

NOTE. - In special cases the Local Government may sanction the commutation with effect from an earlier date than that mentioned in this rule not preceding the date of the sanction, all calculations being made with reference to such earlier date. 51 Fin. D.

8. A commutation once applied for, sanctioned, and given effect to, cannot be rescinded, i.e., the portion of a pension commuted cannot be restored on refund of its capitalised value.

9. If a pensioner, whose pension has been commuted, dies before receiving the commutation value, this value is payable to his heirs.

10. In the case of a pensioner who is re-employed in Government Service or in the service of a Local Fund and who commutes a portion of his pension before or after such re-employment his pension for the purposes of the rules in Chapter XXI of the Civil Service Regulations shall be taken at the full amount which he might have drawn if he had not commuted a portion of it.

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11. A local Government or the Head of a Department through whom an application for commutation requiring sanction of higher authority has been forwarded, may reject the application if satisfied that it is not a case in which commutation should be allowed. The applicant's right of appeal will be regulated by the Memorial Rules.

12. These powers will be exercised by the Local Governments specified in Part I of Appendix I of the Civil Service Regulations; and by the Departments of the Government of India in respect of officers serving under them and not under a Local Government.

13. Applications for the commutation of pensions of officers in Imperial Departments directly subordinate to the Government of India should, if their transmission is decided on, be forwarded by the Head of the Department to the Administrative Department of the Government of India concerned. Other cases of commutation requiring the sanction of the Government of India should, if the Local Government or Head of a Department decides on their transmission, be forwarded to the Finance Department of the Government of India. Questions relating to the interpretation of these rules or their relaxation should also be addressed to the Finance Department.

14. All sanctions to the commutation of a pension must be subject to the usual rule that the expenditure can be met from sanctioned budget grants. The payment of the capitalised sum must be taken in India.

F O R M A.

I .... .desire to commute a portion of my ---- -- Superannuation / Compensation / invalid pension of Rs.....As...ps.... a month, After careful consideration I am convinced that it will be to the distinct and permanent advantage of myself and my family to apply, as I am resolved to do, the commuted value in the manner detailed in the separate signed statement I have attached hereto. I also certify that I have correctly answered each and all of the questions below.

Dated.....
Place.....

Signature.....
Designation.....
Address. .....

N. B. - 1. In the absence of a definite purpose no portion of the pension can be commuted.

2. The grounds for believing that distinct and permanent advantage will be secured should be stated. A local Government may lay down subsidiary instructions as to the manner in which the statement should be prepared.

Questions.	Answers.
1. How much of your pension do you wish to commute?	
2. Have you any debts or liabilities? Give particulars.	
3. Have you a wife ? Name the members of your family dependent on you with their respective ages.	
4. What was your monthly income from all sources during the past year? Give particulars.	
5. Do you suffer from any complaint likely to shorten life? If so, state its nature.	

Signature.....

Dated.....
Place.....

R 1/2

The Secretary for Home Work etc. 10.2.14. R.P.

Petn no. 2325/14 10.2.14.

To

M. Visvesvaraya, Esq., B.A., M.I.C.E., C.I.E.,

Dewan and President in Council of the Government of His Highness the Maharaja of Mysore.

DIARY NO. 3088

10B-1014
SECTION S+A
FILE NO. 342-131
SERIAL No. 2

MAY IT PLEASE YOUR EXCELLENCY,

The humble memorial of C. S. SINGARAVALU PILLAY, retired Clerk of the Chief Court of Mysore, residing in the Civil and Military Station of Bangalore.

Most respectfully sheweth :—

1. That your memorialist was first employed as Clerk in the Munsiff's Court of Bangalore and through the kindness of the then District and Sessions Judge, the late Raja Dharma Praveena T. R. A. Thumboo Chetty, Esq., C.I.E., he was transferred to the District Court, from where he was subsequently drafted to the Chief Court, on a salary of Rs. 25. In the Chief Court he served for nearly 30 years in various capacities until he rose to the grade of a Clerk on Rs. 100, and was retired from service in July last, although he was only 57 years of age and is both physically and mentally fit to serve for a considerable time longer in the responsible and onerous duties of accounts and statistics he was placed in. Your memorialist not having insured his life, is not entitled to any bonus from the State, and must only be content with the small pension which he is receiving, under the Mysore Service Regulations.

2. That during all this long period of his employment, your memorialist was not able to save anything, much less save himself from pecuniary liabilities, inasmuch as, his slow rising income was inadequate to meet the requirements of his growing family ; but on the other hand, he was, (as in the case of any joint Hindu family,) of slender means, compelled to incur marriage and other unavoidable expenses, which obliged him to borrow money. Your memorialist was able, however, to liquidate his debts to a large extent by the sale of his ancestral property, at an enormous sacrifice, to satisfy his pressing creditors, leaving still a balance of Rs.500 to be paid with interest. The payment of interest on the debts, and the house rent for the habitation of his large family, have now become an additional burden on his already much diminished income of a bare pension of Rs 42-13-2.

No. 595 - E.B.

GOVERNMENT of I N D I A.

F i n a n c e D e p a r t m e n t.

PENSIONS and GRATUITIES.
Commutation of Pension

From

F. W. JOHNSTON Esquire,

Deputy Secretary to the Government of India.

To

The Chief Secretary to the Government of Madras,
Financial Department.

The Chief Secretary to the Government of Bombay,
Revenue and Financial Departments.

The Secretary to the Government of Bengal,
Financial and Municipal Departments.

The Financial Secretary to the Government of the
United Provinces.

The Financial Secretary to the Government of the Punjab

The Chief Secretary to the Government of Burma,
Revenue Department.

The Secretary to the Government of Bihar and Orissa,
Financial and Municipal Departments.

The Hon'ble the Chief Commissioner, Central Provinces

The Hon'ble the Chief Commissioner, Assam.

The Hon'ble the Chief Commissioner, Coorg.

The Hon'ble the Chief Commissioner, Ajmer-Merwara.

The Hon'ble the Agent to the Governor-General and
Chief Commissioner, North West Frontier
Province.
do do do ...Baluchistan.

17

SIMLA, the 27th September 1912.

S i r,

I am directed to address you on the subject of the commutation of pensions for lump cash payments. Although the power to order commutation with the consent of the holder is vested in local Governments, the effect of Appendix 10 of the Civil Service Regulations and of the fact that no definition has been made of the circumstances mentioned in that Appendix as warranting commutation, has been that in practice all applications for commutation of pension have been submitted to the Government of India for sanction. This practice is in the opinion of the Governor-General in Council not in consonance with the policy which now regulates the financial relations of the Government of India with Provincial Administrations, and it has therefore been deemed advisable to define the rules which will in future be applied to the commutation of pensions and to leave the decision of each case, within the limits prescribed, to the Local Government.

2. From the rules appended thereto, which the Governor-General in Council has been pleased to frame on the subject, it will be seen that the main conditions to be observed are that there should be a rigorous medical examination and that the proportion of the pension which may be commuted should be framed so as to leave sufficient to maintain the pensioner in accordance with his station in life after retirement. It seems necessary in this case to fix some arbitrary limit and the Government of India have after consideration decided that the proportion up to which commutation should be allowed should not exceed one quarter of the pension. This proportion should provide for practically all the necessities to meet which application to commute pen-

sions

pensions is now made and though commutation of a larger proportion of the pension can still be effected with the sanction of the Government of India, such applications should rarely be forwarded and only in cases where the necessity is of an altogether exceptional nature.

3. It will be seen that no monetary limit has been fixed in the case of small pensions below which the pension should not be reduced by commutation, but it is expected that Local Governments will insist on the strict application of the first portion of rule 5 so as to ensure that a balance of pension is left, sufficient to support the pensioner. No attempt has been made in rule 3 to define "the distinct and permanent advantages of the pensioner", and complete discretion is left to Local Governments as regards sanctioning a commutation for a prudent object and refusing sanction where the object seems the reverse of prudent. It will further be noticed that once the lump sum has actually been taken by the pensioner, he must abide by the results of his application and cannot be allowed to refund the money and draw his original pension. To permit of this would not only discourage the exercise of prudence and forethought by pensioners before applying for commutations, but would throw a very large amount of work on Accounts Officers, besides affording an opportunity for fraud.

I have the honour to be,

Sir,

Your most obedient servant,

/Sd/ F. .. Johnston,

Dy. Secy: to the Govt: of India

-----ooOoo-----

Copy

19

Copy forwarded to the Departments of the Government of India (including Military Finance Branch), to the Comptroller and Auditor-General and other Heads of Departments under the Finance Department, to all Accountants-General and Comptrollers, to all Examiners and Government Examiners of Railway Accounts and to the Examiner of Accounts, Military Works Services.

By order, etc.,

Sd/ B. N. Mitra,
Assistant Secretary to
the Govt: of India.

20

RULES RELATING TO THE COMMUTATION OF PENSIONS.

----oOo----

1. Subject to the conditions stated below, a Local Government may, at its discretion and on the application of the holder, order the commutation for a lump sum of a portion of a pension which has been sanctioned by it or by authority subordinate to it.

2. Applications for commutation shall be made in Form A appended to these rules.

3. The Local Government shall satisfy itself that the commutation will be to the distinct and permanent advantage of the pensioner or his family and may, at its discretion, require guarantees and impose such terms and safeguards as it may deem fit to ensure the prudent application of the amount payable in commutation, if sanctioned.

4. (a) If on consideration of the facts stated in the application the Local Government decides to allow commutation, the applicant should be required to produce a certificate as to his expectation of life, from a medical officer who should be of not lower standing than a Civil Surgeon, District Medical Officer or Presidency Surgeon. The Local Government may further, at its discretion, require a second medical opinion or direct the applicant to appear before a Medical Board.

(b) The certifying Surgeon or Board shall subject the applicant to a strict medical examination, requiring him to give such information as to his health and habits as is usual in the case of persons proposing to assure their lives in assurance companies, and will report in the

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the following form : -

"I/We have carefully examined.....and am/are of opinion that he/she is/is not in good bodily health and has/has not the prospect of an average duration of life. I/We therefore, do/do not recommend - compliance with his application to be allowed to capitalise a portion of his pension."

In the case of impaired lives in which compliance with the officer's application is recommended, but with an addition of years of age, the following should be added:- "But as he is suffering from... ....his age, for purposes of commutation, should be taken to be..... years."

(c) In the case of an applicant who has been awarded an invalid pension, the grounds of invaliding or the statement of the pensioner's medical case, should be communicated to the certifying medical authority.

(d) The pension of a pensioner whose age is more than seventy years, with or without an addition of years as an impaired life cannot be commuted except by special order of the Government of India.

5. The Local Government should assure ϕ itself that the residue of pension which will be left after commutation is sufficient to maintain the pensioner in accordance with his station in life in retirement, due regard being had to the manner of application of the - amount realised on commutation. In no case shall commutation be sanctioned which will leave the pensioner in receipt of less than three-fourths of the pension originally issued to him.

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6. The lump sum payable on commutation will be the amount certified by the Audit Officer to be admissible according to the table of present values in Appendix 10 to the Civil Service Regulations.

7. Commutation, when sanctioned, shall take effect from a date, to be named in the order, which should ordinarily be about one month later than the date of the order; and all calculations shall be made with reference to that date. The sum payable in commutation will be paid on or as soon as possible after the date specified and payment of the commuted portion of the pension will cease from that date.

NOTE. - In special cases the Local Government may sanction the commutation with effect from an earlier date than that mentioned in this rule not preceding the date of the sanction, all calculations being made with reference to such earlier date. 51 Fin. D.

8. A commutation once applied for, sanctioned, and given effect to, cannot be rescinded, i.e., the portion of a pension commuted cannot be restored on refund of its capitalised value.

9. If a pensioner, whose pension has been commuted, dies before receiving the commutation value, this - value is payable to his heirs.

10. In the case of a pensioner who is re-employed in Government Service or in the service of a Local Fund and who commutes a portion of his pension before or after such re-employment his pension for the purposes of the rules in Chapter XXI of the Civil Service Regulations shall be taken at the full amount which he might have drawn if he had not commuted a portion of it.

11. A local Government or the Head of a Department through whom an application for commutation requiring sanction of higher authority has been forwarded, may reject the application if satisfied that it is not a case in which commutation should be allowed. The applicant's right of appeal will be regulated by the Memorial Rules.

12. These powers will be exercised by the Local Governments specified in Part I of Appendix I of the Civil Service Regulations; and by the Departments of the Government of India in respect of officers serving under them and not under a Local Government.

13. Applications for the commutation of pensions of officers in Imperial Departments directly subordinate to the Government of India should, if their transmission is decided on, be forwarded by the Head of the Department to the Administrative Department of the Government of India concerned. Other cases of commutation requiring the sanction of the Government of India should, if the Local Government or Head of a Department decides on their transmission, be forwarded to the Finance Department of the Government of India. Questions relating to the interpretation of these rules or their relaxation should also be addressed to the Finance Department.

14. All sanctions to the commutation of a pension must be subject to the usual rule that the expenditure can be met from sanctioned budget grants. The payment of the capitalised sum must be taken in India.

F O R M A.

24

I ..... .desire to commute a portion of my ------
Superannuation
Compensation pension of Rs.....As...ps.... a month, After
invalid
careful consideration I am convinced that it will be to the distinct and permanent advantage of myself and my family to apply, as I am resolved to do, the commuted value in the manner detailed in the separate signed statement I have attached hereto. I also certify that I have correctly answered each and all of the questions below.

Dated.....
Place.....

Signature.....
Designation.....
Address. ....

N. B. - 1. In the absence of a definite purpose no portion of the pension can be commuted.

2. The grounds for believing that distinct and permanent advantage will be secured should be stated. A local Government may lay down subsidiary instructions as to the manner in which the statement should be prepared.

Questions.	Answers.
1. How much of your pension do you wish to commute?	
2. Have you any debts or liabilities? Give particulars.	
3. Have you a wife ? Name the members of your family dependent on you with their respective ages.	
4. What was your monthly income from all sources during the past year? Give particulars.	
5. Do you suffer from any complaint likely to shorten life? If so, state its nature.	

Signature.....

Dated.....
Place.....

2/5

G. R. S. 34]

No. 76656

GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

( )

Office Memorandum.

To

the 29th May 1914.

C. S. Singaravelu pillai
late clerk of the Chief Court of Mysore
residing in No. 8. Muruga pillai Street
Cand M. Station Bangalore.

In reply to his petitions dt. the 4th Feby 191
praying for the commutation of a portion
of his pension into a lump sum gratuity
C. S. Singaravelu pillai is informed that
Govt deem it inexpedient to grant his
prayer.

B. C.

for H. Secy.

SN

PRR-38
3.3.1914.

GPB—5,000—7-8-11